

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

IN RE: MARTINO M. WILSON : CASE NO 17-12075
DEBTOR(S) : CHAPTER 13
: JUDGE BETH A.
BUCHANAN

MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND NOTICE

The Debtor(s) hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

MEMORANDUM IN SUPPORT

1. A plan has been confirmed, and according to Form B22C, Debtor(s) is
 Above median income
 Below median income

2. Date petition filed: 6/6/2017 Date of last modification: none

3. Date plan confirmed: 9/20/2017 Date last modification confirmed:
11/28/17
LBR 3015-2 (b) (3) Dates of other modifications:

4. Length of Plan (months): Current: 60 Proposed: 60

5. Monthly Plan Payments: Current: \$1,794.00 Proposed: \$1,872.00

6. Percent to Unsecured Creditors: Current: 47 % Proposed: 47 %

If the Plan proposes to lower the plan percentage to unsecured creditors, Debtor(s) certify that the new plan percentage is consistent with:

- a. the liquidation analysis filed on _____ (date) = _____ % or Debtor(s) attach an amended liquidation analysis and will file it with the Court; and, if applicable,
- b. the DMI calculation of \$____ x 60 = _____ divided by the total number of unsecured claims in the case of \$ _____ = _____ %.

7. Amended schedule I and J based upon current income are attached.

8. Reason for the modification, including any changes in circumstances since last plan (indicate here if Debtor(s) can no longer meet DMI):

Debtor is modifying plan to cure mortgage arrears and to ensure the plan completes within sixty (60) months.

Attached is a list of the affected Creditors, applicable plan paragraphs affected and proposed new plan treatment.

WHEREFORE, debtor(s) move(s) the Court to modify debtor(s)' plan as set forth herein.

Respectfully submitted,

/s/ Shawn R. Ryan
Shawn R. Ryan Oh Bar# 0042267
Amourgis & Associates
Attorneys for Debtor
300 E. Business Way, Ste 200
Cincinnati, OH 45241
shawnr@amourgis.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion For Modification of Plan Post Petition and Notice was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **ordinary U.S. Mail** on June 7, 2018 addressed to:

/s/ Shawn R. Ryan
Shawn R. Ryan Oh Bar# 0042267
Amourgis & Associates
Attorneys for Debtor
300 E. Business Way, Ste 200
Cincinnati, OH 45241
shawnr@amourgis.com

Martino M. Wilson
6517 Greentree Drive
Cincinnati, OH 45224

Wells Fargo Bank, N.A.
1 Home Campus
Des Moines, IA 50328

TD Bank USA, N.A.
C O WEINSTEIN & RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121

City of Cincinnati Income Tax Division
805 Central Avenue Suite 600
Cincinnati 45202

Quantum3 Group LLC as agent for
Sterling Jewelers Inc
PO Box 788
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for
Aqua Finance
PO Box 788
Kirkland, WA 98083-0788

Wells Fargo Bank, N.A.
Wells Fargo Card Services
PO Box 10438, MAC F8235-02F
Des Moines, IA 50306-0438

Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-9617

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

U.S. Bank National Association
Bankruptcy Department

PO Box 108
St. Louis MO 63166-0108

MIDLAND FUNDING LLC
PO BOX 2011
WARREN, MI 48090

Comenity Capital Bank/Paypal Credit
c/o Weinstein & Riley, PS
2001 Western Ave., Ste 400
Seattle, WA 98121

Cavalry Spv I, LLC
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712

Wells Fargo Bank, N.A.
Default Document Processing
MAC# N9286-01Y
1000 Blue Gentian Road
Eagan, MN 55121-7700

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NOTICE

Your counsel has filed papers with the court to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy. If you do not have one, you may wish to consult one.

If you do not want the court to grant the motion to modify the plan, or if you want the court to consider your views on the motion then within twenty-one (21) days from the date of service as set forth in the certificate of service below you or your attorney must file with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:

Clerk of the US Bankruptcy Court
Atrium Two, Suite 800
221 East Fourth Street
Cincinnati, Ohio 45202

You must also mail a copy to:

Shawn R. Ryan Esq.	Margaret Burks, Chapter 13 Trustee
300 E. Business Way, Suite 200 Cincinnati, OH 45241	600 Vine Street Suite 2200 Cincinnati, OH 45202

Office of the US Trustee
36 East Seventh Street
Suite 2030
Cincinnati, OH 45202

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 6/8/2018

/s/Shawn R. Ryan
Debtor(s)' Counsel

MODIFICATION OF CHAPTER 13 PLAN

Debtor (last name) WILSON

Case No. 17-12075

[List only]

creditors affected by modification]

Creditor name:

Type of Claim: () secured () unsecured () 507
priority () other

Nature of Claim:

Current Plan (Paragraph No.)

Proposed Plan (Paragraph No.)

Creditor name:

Type of Claim: () secured () unsecured () 507
priority () other

Nature of Claim:

Current Plan

Proposed Plan

Creditor name:

Type of Claim: () secured () unsecured () 507
priority () other

Nature of Claim: Mortgage Claim

Current Plan (Paragraph No.)

Proposed Plan (Paragraph No.)

Creditor name:

Type of Claim: () secured () unsecured () 507
priority () other

Nature of Claim: Mortgage Claim

Current Plan (Paragraph No.____)

Proposed Plan (Paragraph No.____)